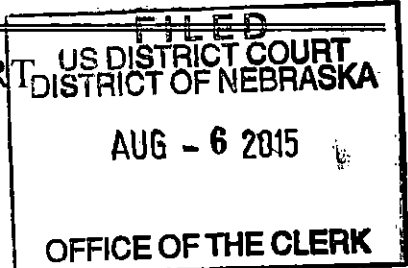


AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
District of Nebraska



United States of America
v.
JERRELL TYNDALL

Case No. 8:15MJ208

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 25, 2015, in the county of Thurston in the

District of Nebraska, the defendant(s) violated:

Code Section

18 U.S.C. 113(a)(3) & 1153

Offense Description

Assault with a dangerous weapon, in violation of Title 18,
United States Code, Section 113(a)(3) & 1153.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

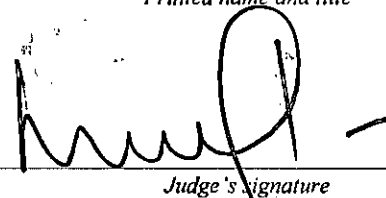
Stephen M. Friend, S.A. FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/6/15




Judge's signature

City and state: Omaha, Nebraska

THOMAS D. THALKEN, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA
AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

The undersigned, being duly sworn, deposes and says:

1. Your affiant, Stephen Friend is a Special Agent (SA) with the Federal Bureau of Investigation (FBI) currently assigned to the Sioux City, Iowa, Resident Agency of the Omaha, Nebraska, FBI Division. In the course of his official duties, your affiant is charged with the investigation of crimes occurring on the Omaha Nation Indian Reservation, within the District of Nebraska, to include Assault with a Dangerous Weapon, in violation of Title 18, United States Code, Section 113(a)(3).
2. This affidavit is in support of a criminal complaint and arrest for Mr. Jerrell Tyndall, Indian male, date of birth (DOB) March 25, 1995. The following information was related to your affiant by an FBI investigation and by Omaha Nation Law Enforcement Services (ONLES) Police Sergeant Will Webster in connection with the assault investigation of Mr. Micah Whiteeyes, Indian male, (DOB) September 4, 1990, committed by Mr. Jerrell Tyndall.
3. On July 25, 2015 at approximately 9:14 AM, Sgt. Webster from ONLES responded to Thunder Circle, Macy Nebraska. The area is located on the Omaha Nation Indian Reservation. Upon arriving, Sgt. Webster observed Mr. Jerrell Tyndall holding a knife in his right hand. Sgt. Webster ordered Tyndall to drop the weapon and then proceeded to place him under arrest.

Sgt. Webster also observed that Mr. Micah Whiteeyes had sustained a stab wound to the back of his head. Ms. Laurica Freemont and Ms. Danielle Webster were rendering aid to Whiteeyes' injury.

Emergency services responded to the scene and transported Whiteeyes to Winnebago Indian Health Services (IHS). Later, Whiteeyes was transferred to Mercy Medical Center in Sioux City, Iowa, for additional medical treatment.

Sgt. Webster collected the knife and Whiteeyes' bloody clothing as evidence. Sgt. Webster also photographed the scene and obtained surveillance footage from the nearby Housing Authority building.

4. On July 27, 2015, at approximately 11:00 AM, SA Friend interviewed Mr. Jerrell Tyndall at the Omaha Nation Correctional Facility in Macy, Nebraska. After being advised of his rights, Tyndall invoked his right to counsel. The interview was terminated.

5. On August 3, 2015, SA Friend interviewed Mr. Micah Whiteeyes. Whiteeyes advised that on the morning of July 25, 2015, he was walking on Sunrise Drive in Macy, Nebraska. Whiteeyes encountered Mr. Jerrell Tyndall. Tyndall verbally accosted Whiteeyes regarding his past membership in gangs. Whiteeyes became angry, punched Tyndall in the left cheek, and left the area.

Approximately thirty minutes later, Whiteeyes was walking in the courtyard of Thunder Circle and re-encountered Tyndall. Tyndall attacked Whiteeyes with a knife and slashed the back of his head. Ms. Danielle Webster and Ms. Laurica Freemont intervened and rendered aid to Whiteeyes.

6. On August 3, 2015, SA Friend interviewed Ms. Danielle Webster. Webster advised that Mr. Micah Whiteeyes visited her at her home on July 25, 2015. Webster's residence is on Thunder Circle. She noted that Whiteeyes was intoxicated. After a short time, Whiteeyes left and met with two men in the courtyard of Thunder Circle.

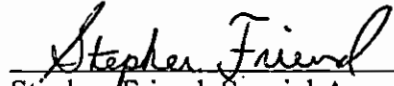
Shortly thereafter, Webster decided to check on Whiteeyes. She went to retrieve shoes from inside her residence and overheard a commotion from the courtyard. Webster ran outside and observed Whiteeyes engaged in an altercation with Mr. Jerrell Tyndall. Whiteeyes was bleeding from the back of the head. Webster did not see Tyndall cut Whiteeyes.

Webster and Ms. Laurica Freemont intervened in the altercation and rendered aid to Whiteeyes. Webster observed Tyndall withdraw a knife from his pants pocket and move towards Whiteeyes. Webster stated that she was concerned that Tyndall would stab her with the knife in an effort to re-engage Whiteeyes. At that time, Sgt. Webster arrived and arrested Tyndall.

7. On August 3, 2015, SA Friend interviewed Ms. Laurica Freemont. Freemont advised that on July 25, 2015, she was standing in her kitchen looking out of a window with a full view of the courtyard of Thunder Circle. She observed Mr. Micah Whiteeyes walking across the courtyard. Whiteeyes encountered two men. Freemont stated that one of the men was Mr. Jerrell Tyndall. Whiteeyes and Tyndall became involved in a verbal altercation. Tyndall moved behind Whiteeyes, withdrew a knife from concealment, and slashed Whiteeyes in the back of the head.

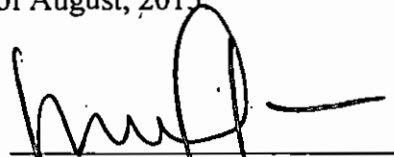
Freemont and Ms. Danielle Webster rushed to intervene in the altercation and to render aid to Whiteeyes. Freemont applied a discarded t-shirt to Whiteeyes' wound. Freemont observed Tyndall withdraw the knife from his pants pocket and move towards Whiteeyes a second time. She was concerned that Tyndall would stab her or Webster with the knife in an effort to re-engage Whiteeyes. At that time, Sgt. Webster arrived and arrested Tyndall.

8. The events described in paragraphs 1 through 7 occurred on the Omaha Nation Indian Reservation, in Indian Country, in the District of Nebraska. Omaha Tribal Enrollment advised SA Friend that Mr. Jerrell Tyndall and Mr. Micah Whiteeyes are enrolled members of the Omaha Tribe. Based upon the aforementioned information, your affiant believes a violation of federal law has occurred, to wit; Crime on an Indian Reservation, Assault with a Dangerous Weapon, in violation of title 18, USC Section 113(a)(3).


Stephen Friend, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to me before this 6th day of August, 2015




THOMAS D. THALKEN
U.S. Magistrate Judge